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BRINKS
HOFER
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& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: HELMUT HARRER

Appln. No.: 10/821,628

Filed: April 9, 2004

For: POSITION MEASURING INSTRUMENT

Attorney Docket No: 12484/3

Examiner: Guadalupe,
Yaritza

Art Unit: 2859

Mail Stop RCE
Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)

Sir:

Applicant(s) requests continued examination of the above-identified application under 37 C.F.R. §1.114.

☒ Submission under 37 CFR 1.114 (*check at least one of the following*):

☐ Previously submitted:

☐ Applicant(s) requests nonentry of any previously-filed unentered amendments.

☒ Please enter and consider the Amendment After Final Under 37 C.F.R. §1.116 previously filed on September 18, 2006.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☒ Other: Copy of Petition and Fee for Extension of Time (37 C.F.R. §1.136(a)) filed on November 16, 2006.

☐ Attached is/are:

☐ An Information Disclosure Statement

☐ An Amendment to the written description, claims, or drawings

- ☐ New Arguments and/or New Evidence in support of Patentability
- ☐ Other: _____
- ☐ Request for suspension of action:

Applicant(s) hereby request suspension of action on the above-identified application under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 C.F.R. §1.17(i)).

- ☐ Small Entity Status:
- ☐ Applicant hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.
- ☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. _____ / _____ and such status is still proper and desired.
- ☐ Is no longer desired.

- ☒ Applicant(s) calculate the following fees to be due in connection with this Request:

- ☒ A Request fee of \$790.00 under 37 C.F.R. §1.17(e).
- ☐ A suspension processing fee of \$_____ under 37 C.F.R. §1.17(i).
- ☐ An additional filing fee of \$_____ under 37 C.F.R. §1.16 (_____ additional independent claims and/or _____ additional total claims).
- ☐ An extension fee of \$_____ under 37 C.F.R. §1.17(a) for a _____ extension of time.

- ☒ Fee payment to cover the above-enumerated fee(s):

- ☒ A check in the amount of \$790.00 is enclosed and a check in the amount of \$900.00 for a three-month extension of time fee is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A copy of this Request is enclosed for this purpose.
- ☐ A payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE). A copy of this Request is enclosed for this purpose.

Respectfully submitted,



John C. Freeman, Esq. (Reg. No. 34,483)

November 16, 2006

Date